

UNITED STATES OF AMERICA
CONSUMER PRODUCT SAFETY COMMISSION

_____))
In the Matter of)) CPSC Docket No. 12-2
))
ZEN MAGNETS, LLC,))
))
Respondent.))
_____)

**COMPLAINT COUNSEL’S RESPONSE TO RESPONDENT’S MAY 16, 2016
MOTION TO STAY AND MOTION TO DISQUALIFY THE COMMISSION OR SOME
OF ITS MEMBERS**

On May 16, 2016, Respondent filed a Notice of Withdrawal of its May 6, 2016 Motion to Stay and a Notice of Withdrawal of its May 6, 2016 Motion to Disqualify the Commission or Four Commissioners. On the same date, Respondent refiled motions identical to the original motions, but now has attached to the latest filing a supporting affidavit to the Motion to Disqualify as required by Section 556(b) of the Administrative Procedure Act. 5 U.S.C. § 551 et seq.

Because nothing in the refiled motions or accompanying affidavit establishes bias or prejudgment warranting disqualification of the Commission or any Commissioners, Complaint Counsel submits that for the reasons set forth in Complaint Counsel’s Response to Respondent’s May 6, 2016 motions, the Motion to Disqualify should be denied and the proceeding should not be stayed.

Respectfully submitted,



Mary B. Murphy, Assistant General Counsel
Daniel R. Vice, Trial Attorney

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Complaint Counsel for
U.S. Consumer Product Safety Commission

May 16, 2016

CERTIFICATE OF SERVICE

I hereby certify that I have provided on this date, May 16, 2016, Complaint Counsel's Response to Respondent's May 6, 2016, Motion to Stay and Motion to Disqualify the Commission or Some of Its Members, in the following manner:

Original and five copies by hand delivery to the Secretary of the U.S. Consumer Product Safety Commission: Todd A. Stevenson.

One copy by electronic mail and one copy by common carrier to counsel for Respondent Zen Magnets, LLC:

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